



**Yarra Ranges Shire Council**

**Instrument of Sub-Delegation (Neighbourhood Amenity Local Law)**

**by**

**The Chief Executive Officer**

**September 2020**

## **Instrument of Sub-Delegation**

**By this Instrument of Sub-Delegation, I, as Chief Executive Officer of Yarra Ranges Shire Council –**

1. delegate to each of the Executive Officer Safer Communities and the Safer Communities Operational Coordinator the following powers, duties and functions under the Neighbourhood Amenity Local Law 2020 (Local Law)-
  - 1.1 The function under clause 20.5(a) of the Local Law of receiving an application from a property owner or occupier for a change to the Open Air Burning Category that applies to their property or an application for an exemption from any clause of the Local Law 2020; and
  - 1.2 The power under clause 20.5(b) of the Local Law to require further information, or require an applicant to verify information regarding the application; and
  - 1.3 The power under clause 20.2 of the Local Law to alter the category applicable to an applicant; and
  - 1.4 The power under clause 20.2 of the Local Law not to alter the category applicable to the applicant; and
  - 1.5 The power under clause 20.5 of the Local Law to exempt the applicant from one or more provisions of the Local Law; and
  - 1.6 The power under clause 20.5 of the Local Law not to exempt the applicant from one or more provisions of the Local Law; and
2. delegate to each of the Executive Officer Development Compliance & Prosecutions and the Executive Officer Risk Infringement & Governance the following powers, duties and functions under the Neighbourhood Amenity Local Law 2020 (Local Law)-
  - 2.1 The power under clause 20.5(c) of the Local Law to perform the function of Council to consider and determine an appeal against a decision not to change the open air burning category applicable to a property; and
3. declare that this Instrument of Sub-Delegation -
  - 3.1 comes into force immediately upon its execution;
  - 3.2 remains in force until varied or revoked; and
  - 3.3 must be read in accordance with any guidelines or policies which Council from time to time adopts; and

4. declare that the delegate must not perform the function or exercise the power if:
- 4.1 the function is a function which must be performed or the power is a power which must be exercised by Resolution; or
  - 4.2 the performance of the function or exercise of the power would or would be likely to involve a decision which is inconsistent with a policy or strategy adopted by Council; or
  - 4.3 the function or power cannot be the subject of a lawful delegation, whether on account of s 98(1)(a)-(f) (inclusive) of the Act or otherwise.

This Instrument of Sub-Delegation is dated 14 September 2020 and is made by the Chief Executive Officer under authority of an instrument of Sub-Delegation authorised by Resolution of Council made on 28 July 2020.

**Signed** by the  
Chief Executive Officer of Council  
in the presence of:

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Tammi Rose



Shannon Woodward.....

Witness

Date: 14 September 2020.....